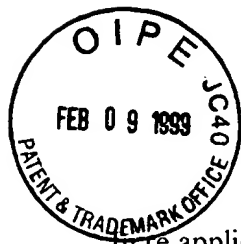


PATENT APPLICATION
Docket No. 2409.3273.2US



in the application of:

Serial No.: 09/139,705

Filing Date: August 25, 1998

For: MULTIPLE LUMEN CATHETER

Group Art Unit
3734

TRANSMITTAL FOR SUPPLEMENTAL PRELIMINARY AMENDMENT

The Honorable Commissioner of Patents
and Trademarks
Washington, D. C. 20231

Sir:

Transmitted herewith is a Supplemental Preliminary Amendment for entry in the above-identified application.

- Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.
- To secure the approval of the Examiner for proposed amendments to the drawings, enclosed are the following:
- Letter to the Official Draftsperson;
 - Set of _____ () sheets of informal drawings containing Figures _____ including the proposed amendments therein; and
 - A duplicate set of the _____ () sheets of informal drawings with the changes therein highlighted in red.

___ To render the transmitted Amendment timely filed enclosed are the following:

___ Petition for a _____-Month Extension of Time for a period of _____ () months; and

___ Check No. _____ in the amount of \$ _____ comprising the corresponding fee required in relation thereto.

x No additional fee is required.

x Duplicate copies of this sheet are attached.

The fee has been calculated as follows for other than a small entity applicant:

CLAIM INVENTORY			SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
Claims Remaining After	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee		Rate	Additional Fee
Total 20	Minus 20	0	\$11.00	\$		\$22.00	\$ 0.00
Indep. 3	Minus 3	0	\$41.00	\$		\$82.00	\$ 0.00
First Multiple Dependent Claim			\$135.00			\$270.00	\$ 0.00
Additional Fee			TOTAL	\$		TOTAL	\$ 0.00

___ Please charge my Deposit Account No. 20-1469 in the amount of _____.

___ Check No. _____ in the amount of \$ _____ for additional claims, if any, is enclosed.

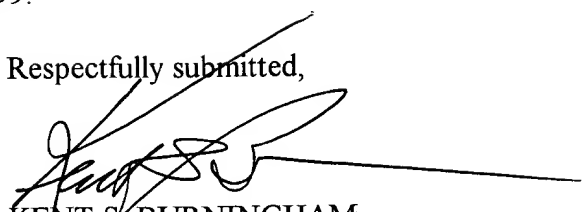
x The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 20-1469. Duplicate copies of this sheet are attached.

x Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.

x Any patent application processing fees under 37 C.F.R. § 1.17.

DATED this 9th day of February 1999.

Respectfully submitted,



KENT S. BURNINGHAM
Attorney for Applicant
Registration No. 30,453

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230 South 500 East, Suite 300
Salt Lake City, Utah 84102 USA
Telephone: (801) 532-1922
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Docket: 2409.3273.2US

PATENT APPLICATION
Docket No. 2409.3273.2US



In re application of:

Serial No.: 09/139,705

For: **MULTIPLE LUMEN CATHETER**

Group Art Unit
3734

The Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

The Request for Corrected Filing Receipt dated November 12, 1998, (hereinafter "the First Request") sought to correct two (2) errors noted in the original Filing Receipt received from the United States Patent and Trademark Office relative to the above-captioned application.

The second official Filing Receipt, however, includes the same two (2) errors that had been sought to be corrected in the First Request.

F8

Accordingly, the issuance of a corrected Filing Receipt is again respectfully requested, and the reasons therefor, as substantially set forth in the First Request, are included below.

A. Amount of Fee Received

There is an error in the "Filing Fee Received" portion of the attached second official Filing Receipt.

Attached as Exhibit B is a photocopy of Check No. 10271 of the firm of the undersigned dated August 25, 1998, in the amount of \$790.00. This was the only check filed with the above-captioned application.

Attached as Exhibit C is a copy of the Certificate of Mailing by "Express Mail" utilizing Express Mail Label No. EM061016724US, under which the above-captioned application was delivered to the United States Patent and Trademark Office and which lists Check No. 10271 as the only check listed as transmitted.

Accordingly, the "Filing Fee Received" portion of the Filing Receipt in a corrected fashion should read as follows:

Filing Fee Received: \$790.00

B. Attribution of Continuing Status

There is an error in the "Continuing Data as Claimed by Applicant" portion of the attached second official Filing Receipt.

Attached as Exhibit D is a Transmittal for Continuing Application dated August 25, 1998. (hereinafter "the Transmittal"). As set forth in the first paragraph of the Transmittal, the above-

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captioned application is a "continuation application under 37 C.F.R. §1.60, of pending prior Application Serial No.481,169 . . . that was filed on June 7, 1995." (hereinafter the "Parent Application").¹

A photocopy² of the Transmittal was filed on August 25, 1998, under cover of Express Mail Label No. EE897357979US.³ Attached as Exhibit E is a copy of the corresponding Certificate of Mailing by "Express Mail".

As will be reflected in the records of the United States Patent and Trademark Office, the Parent Application was a continuation of United States Patent Application Serial No. 205,331 filed on March 3, 1994, which was a continuation of United States Patent Application Serial No. 785,351 filed on October 30, 1991, which was a continuation of United States Patent Application Serial No. 288, 364 filed on December 22, 1988.⁴

While listing correctly the three (3) patent applications identified above to which the Parent Application claims priority, the second official Filing Receipt includes no mention of the Parent Application.

¹United States Patent No. 5,797,869 issued from the Parent Application on August 25, 1998.

²The executed original of the Transmittal was submitted on November 13, 1998, as Exhibit D to a Transmittal for Originals of Documents Previously Filed as Photocopies.

³While filed on the same date as the above-captioned application, the Transmittal was filed in a package separate from that containing the above-captioned application. Accordingly, a distinct Certificate of Mailing by "Express Mail" and a distinct corresponding Express Mail label number was used relative to the Transmittal.

⁴A detailed recitation of the relationship among the four (4) applications to which the above-captioned application claims priority can be found in the amendment to the specification set forth at the top of page 3 of the Transmittal. It should be pointed out, as set forth in the Declaration at page 6 of the Transmittal, that the above-captioned application as filed was, with the exception of the cover page thereof, a copy of the Parent Application.

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Accordingly, the "Continuing Data as Claimed by Applicant" portion of the Filing Receipt in a corrected fashion should read as follows:

THIS APPLN IS A CON OF	08/481,169	06/07/95	PAT	5,797,869
WHICH IS A CON OF	08/205,331	03/03/94	PAT	5,472,417
WHICH IS A CON OF	07/785,351	10/30/91	ABN	
WHICH IS A CON OF	07/288,364	12/22/88	PAT	5,195,962


C. Conclusion

The corrections sought are not due to any error by applicant, and accordingly it is respectfully submitted that no fee is due relative thereto.

Nonetheless, should any fee be required in relation to this Request for Corrected Filing Receipt, the Commissioner is hereby authorized to charge that fee to Deposit Account No. 20-1469 of the undersigned. A duplicate copy of this document without the attached exhibits is enclosed.



Respectfully submitted,


KENT S. BURNINGHAM

Attorney for Applicant

TRASK, BRITT & ROSSA

Salt Lake City, Utah 84102 USA

Toll Free: (800) 900-2001

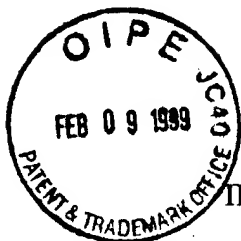
Facsimile: (801) 531-9168

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EXPRESS MAIL LABEL NO. EE 897357979 US

PATENT APPLICATION
Docket No.: 2409.3273.2US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

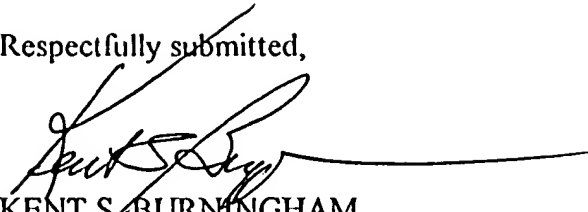
In re application of:	Geoffrey S. Martin et al.)	
)	
For:	MULTIPLE LUMEN CATHETER)	
)	
Continuation Application of:)	
)	Prior Art Unit
Serial No.:	481,169)	3306
)	
Filing Date:	June 7, 1995)	
)	
Prior Examiner:	Ronald K. Stright, Jr.)	

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that this continuation patent application in the name of Geoffrey S. Martin and Michael R. LeBlanc for MULTIPLE LUMEN CATHETER, together with the documents listed as transmitted below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to BOX: PATENT APPLICATION, The Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231.

DATED this 25th day of August, 1998.

Respectfully submitted,



KENT S. BURNINGHAM
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Transmitted:

Transmittal for Miscellaneous Documents (2 pages)

Transmittal for Continuation Application (6 pages)

Preliminary Amendment (17 pages)

NAKSB03273.2.exp2